

UNITED STATES DISTRICT COURT

JUN 21 2014

SOUTHERN

DISTRICT OF

TEXAS David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Jose Miguel Rodriguez-Sandoval YOB 1994 MEXICO

Juan Carlos Venancio-Martinez YOB 1990 MEXICO

Case Number: M-14-1193-M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 20, 2014 in Hidalgo County, in the Southern District of Texas defendant(s) did,

(Track Statutory Language of Offense)

INTENTIONALLY AND KNOWINGLY POSSESS WITH INTENT TO DISTRIBUTE APPROXIMATELY THREE HUNDRED EIGHT (308) KILOGRAMS OF MARIJUANA, A SCHEDULE I CONTROLLED SUBSTANCE. INTENTIONALLY AND KNOWINGLY CONSPIRE TO POSSESS APPROXIMATELY THREE HUNDRED EIGHT (308) KILOGRAMS OF MARIJUANA, A SCHEDULE I CONTROLLED SUBSTANCE.

in violation of Title 21 United States Code, Section(s) 841 (A)(1) and 846.

I further state that I am a(n) STATE OF TEXAS CID AGENT and that this complaint is based on the
Official Title

following facts:

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet and made a part of this complaint

X **Yes** No

Signature of Complainant

GERARDO CARRILLO - DPS
Printed Name of Complainant

Sworn to before me and signed in my presence,

June 21, 2014 4:07 pm at
Date

MCALLEN, TEXAS
City and State

UNITED STATES MAGISTRATE PETER ORMSBY
Name and Title of Judicial Officer

Signature of Judicial Officer

ATTACHMENT II TO AO91, CRIMINAL COMPLAINT, JUNE 20, 2014
DPS CASE NUMBER X3A3-14-0078.001

On Friday, June 20, 2014, Texas Department of Public Safety (DPS) Trooper Orlando Barrera was conducting routine patrol in his DPS marked patrol unit on Farm Market (FM) 490 in Starr County west of the Hidalgo/Starr County line.

At approximately 7:40 am, Trooper Barrera was traveling westbound when Trooper Barrera observed a cloud of dust from the south side of the roadway (FM 490). Upon approach, Trooper Barrera observed a male subject lying face down on the ground behind a maroon Dodge pickup occupied by two males. Trooper Barrera suspected that an auto-pedestrian crash had just occurred and the suspects were fleeing from the scene. Trooper Barrera proceeded to pursue the suspects fleeing eastbound on FM 490. The Dodge pickup came to a stop on the north side of FM 490 facing east bound. Trooper Barrera observed two suspects flee on foot northbound into the thick brush. Trooper Barrera observed the passenger (wearing grey hoody and white shorts) was holding a chrome pistol in his right hand as he exited the passenger side of the pickup and fled on foot. Trooper Barrera conducted a cursory check of the Dodge pickup seating and cargo areas for officer safety and observed a black handgun wedged between the driver's seat and passenger area. Furthermore, Trooper Barrera observed several brown bundles in the passenger and cargo areas which Trooper Barrera suspected the bundles to contain marijuana. Trooper Barrera with the assistance of several law enforcement officers established a perimeter and subsequently apprehended both suspects. Law enforcement officers recovered the handgun that was observed to be in possession by the passenger of the Dodge pickup. The third suspect that was observed lying face down fled from the scene and remains at large.

At approximately 9:30 a.m., DPS Criminal Investigations Division (CID) Agent Gerardo H. Carrillo and CID Lieutenant Manuel Quilantan responded to FM 490 to assist in the criminal investigation. At the scene, Agent Carrillo observed the Dodge pickup's passenger and cargo areas to have brown bundles suspected to contain marijuana. Agent Carrillo observed a black handgun situated in between the driver's seat and passenger area of the Dodge pickup. The handgun was later identified as 380 caliber semi-auto pistol (Russian made) serial number BTIC0856 that contained 1 magazine with 7 rounds of 380 cartridges.

Trooper Barrera advised Agent Carrillo that both suspects were read their Miranda Rights. Suspects were identified as the Juan Carlos VENANCIO-Martinez (year of birth: 1990; driver) and Jose Miguel RODRIGUEZ-Sandoval (year of birth: 1994; passenger). Trooper Barrera transported RODRIGUEZ-Sandoval and Agent Carrillo transported VENANCIO-Martinez to the Weslaco DPS office.

Agents Carrillo and Rodolfo Rios conducted post interviews with VENANCIO-Martinez and RODRIGUEZ-Sandoval at the DPS/CID interview rooms. VENANCIO-Martinez admitted that an unknown male FNU, LNU alias "Junior" contracted VENANCIO-Martinez by agreeing on a payment of approximately five hundred dollars (\$500.00) to transport the bundles of suspected marijuana that were seized from the Dodge pickup that VENANCIO-Martinez was observed driving. RODRIGUEZ-Sandoval (passenger) admitted to possessing the chrome pistol that was recovered in the thick brush and later identified as Taurus Pt 38S .38 super caliber semi-auto pistol with serial number ECM67066 with one magazine containing ammunition. RODRIGUEZ-Sandoval admitted to holding the above mentioned weapon inside the pocket area of his hoody as RODRIGUEZ-Sandoval was running. Agent Carrillo interrogated RODRIGUEZ-Sandoval about the 380 Semi auto pistol recovered from inside the Dodge pickup, RODRIGUEZ-Sandoval admitted the weapon belonged to VENANCIO-Martinez. VENANCIO-Martinez and RODRIGUEZ-Sandoval admitted to being in the United States illegally. VENANCIO-Martinez admitted to have been previously removed (deported) from the United States.